

June 27, 2002

REGIONALISM AD HOC
COMMITTEE
REPORT NO. 7

ALL MEMBERS PRESENT.

1. RESOLVED, that the following item is hereby received and filed.

	Item	Page	-2002	(Comm. 13M-7)
a.	NYPA: Copy of Letter to FERC Re: Request to Utilize Alt Licensing Procedures. (5-0)			

2.

Item	page	-2002	(Comm. 13E-17)
COUNTY EXECUTIVE			

WHEREAS, it is in the public interest for government entities to obtain goods and services, of maximum quality, at the most economical price and;

WHEREAS, by participating in a multi-county cooperative purchasing agreement, both Erie and Wyoming Counties would benefit from a program designed to purchase those items that are in common use under the umbrella of a cooperative bidding policy, and;

WHEREAS, Article 5-G of the New York State General Municipal Law authorizes municipal corporations to enter into cooperative agreements for the performance of those functions or activities in which they could engage individually and;

WHEREAS, Section 119-N of the New York State General Municipal Law defines the term "Municipal Corporation" as including a County, City, Town, Village, School District and Board of Cooperative Educational Services and;

WHEREAS, the inter-municipal purchasing agreement between Erie and Wyoming Counties is proposed to foster similar joint municipal initiatives and;

WHEREAS, Erie and Wyoming Counties agree to utilize, wherever it is to the financial advantage of each county, a cooperative use of each County's competitively awarded bids and;

WHEREAS, neither Erie or Wyoming County would be bound to any greater degree than at present, when bids are taken, and would include said entities in selected bid specifications thereby affording each the opportunity for cost savings at no additional cost burden, and;

WHEREAS, under this agreement it is understood and agreed that each participating county will make its own separate purchasing agreement with selected bidders and that each county shall only be liable to a successful bidder for materials/supplies/services contracted by that county, without any liability for purchases contracted for by the other county and each bid winner shall be required to bill each participating County directly for purchases contracted for by that county and;

WHEREAS, it is further understood that in the event of any dispute between participating counties and an individual bid winner, arising after a contract of purchase has been executed, such

dispute shall be handled by and between the affected parties, with said parties holding harmless the other county in the agreement and;

WHEREAS, the specifications, as prepared by either Erie or Wyoming County and made available to each other, under this agreement, shall be accepted for purchase at the lowest responsible bid price and;

WHEREAS, each county has the right to reject all or part of the designated recommendation for the local bid award and;

WHEREAS, each county shall have the option to take financial advantage of each other's bids, but not be required, in any manner, to be bound by the award and its terms, and;

WHEREAS, the invitation to bid and pertinent specifications will be advertised in the Buffalo News in accordance with the requisite provisions of Section #103 of the New York State General Municipal Law, and;

WHEREAS, New York State General Municipal Law sets forth the policies and procedures that govern all municipal purchasing practices, those regulations in their entirety will be incorporated in all such inter-municipal agreements, and;

NOW, THEREFORE, BE IT

RESOLVED, that Erie County hereby agrees to participate in cooperative bidding initiatives with Wyoming County for the acquisition of commodities and services requested and approved by the appropriate fiscal officer of Erie County.

AND BE IT FURTHER

RESOLVED, the Erie County Legislature authorizes the County Executive to enter into an inter-municipal agreement, with Wyoming County, for the purpose of accruing cost savings by utilizing "economies of scale" in joint purchasing initiatives.

AND BE IT FURTHER

RESOLVES, such agreement shall be considered automatically annually renewable unless or until the Erie County Legislature determines to revoke this authorization at the end of the contract's expiration.

AND BE IT FURTHER,

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Division of Purchase, the Director of Budget, Management and Finance, the County Comptroller, and the Department of Law.

(5-0)

BARRY A. WEINSTEIN
CHAIRMAN